

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

FREE SPEECH SYSTEMS LLC,

Debtor.

)
) **Chapter 11 (Subchapter V)**

)
) **Case No. 22-60043**

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)

**THE TEXAS PLAINTIFFS' STATEMENT OF ISSUES
AND DESIGNATION OF RECORD TO BE PRESENTED ON APPEAL**

Appellants Neil Heslin, Scarlett Lewis, Leonard Pozner, Veronique De La Rosa, and the Estate of Marcel Fontaine (collectively, the “Texas Plaintiffs”), under Rule 8009 of the Federal Rules of Bankruptcy Procedure, submit the following statement of issues and designation of items to be included in the record on appeal with respect to the Texas Plaintiffs’ appeal of this Court’s *Order Supplementing Order Dismissing Case* [Docket No. 1021] (the “Supplemental Dismissal Order”), entered in the above-captioned Chapter 11 case on September 25, 2024.

STATEMENT OF ISSUES

1. Did the Bankruptcy Court err when, without notice, it entered an order [Docket No. 1021]—three months after dismissing the Free Speech Systems, LLC bankruptcy [Docket No. 956]—that retroactively vested all property of former debtor Free Speech Systems, LLC into the bankruptcy estate of Alex Jones?

DESIGNATION OF ITEMS FOR RECORD ON APPEAL

The Texas Plaintiffs designate the following items to include in the record on appeal. Each designated item shall also include all filed exhibits attached to such item. Because the appeal of the Supplemental Dismissal Order relates in part to the companion bankruptcy action captioned *In*

re Alexander E. Jones, Case No. 22-33533, currently pending before the Bankruptcy Court of the Southern District of Texas (“Jones Action”), the Texas Plaintiffs also designate items from that docket in addition to the docket of the immediate Chapter 11 case (“FSS Action”). The Texas Plaintiffs also designate this *Statement of Issues and Designation of Record on Appeal* for inclusion in the record on appeal.

ITEM NO.	DOCKET NO.	FILING DATE	DESCRIPTION
1.	707 (FSS)	8/29/2023	Debtor’s Joint Motion to Approve Employment Contract Pursuant to 11 U.S.C. §§ 105 and 363(b)
2.	740 (FSS)	10/11/2023	Joint Objection of the Sandy Hook Families to Debtors’ Motion to Approve Employment Contract Pursuant to 11 U.S.C. Sections 105 and 363(b)
3.	741 (FSS)	10/11/2023	The Official Committee of Unsecured Creditors’ (I) Reservation of Rights in Respect of Alexander Jones’s Motion for Allowance and Payment of Administrative Expenses Pursuant to 11 U.S.C. § 503(b)(1) to the Extent Such Motion Is Not Withdrawn and (II) Limited Objection and Joinder in Respect of Joint Motion to Approve Employment Contract Pursuant to 11 U.S.C. §§ 105 and 363(b)
4.	823 (FSS)	2/23/2024	Joint Notice Regarding Agreed Order on Debtors’ Motion for Approval of Compromise and Settlement Under Federal Rule of Bankruptcy Procedure 9019
5.	914 (FSS)	5/28/2024	Transcript of Hearing held on May 21, 2024
6.	921 (FSS)	6/2/2024	Emergency Motion of the Connecticut Families for an Order Pursuant to Bankruptcy Code Sections 105(a) and 1112(b) Converting the Debtor’s Chapter 11 Case to a Case Under Chapter 7 of the Bankruptcy Code
7.	684 (Jones)	6/5/2024	Emergency Motion for Entry of an Order Converting Debtor’s Chapter 11 Case to a Case Under Chapter 7 of the Bankruptcy Code
8.	928 (FSS)	6/7/2024	Transcript of Hearing held on June 3, 2024
9.	933 (FSS)	6/11/2024	Debtor’s Emergency Motion for Court Instructions Regarding (1) Disposition of Debtors Property, and (2) Clarity as to the Chief Restructuring Officers Responsibilities and

			Authority, in the Event of Either a Dismissal of This Case or Conversion to Chapter 7
10.	693 (Jones)	6/12/2024	Official Committee of Unsecured Creditors' Witness and Exhibit List for Hearing on June 14, 2024
11.	937 (FSS) / 695 (Jones)	6/12/2024	Jones's Witness and Exhibit List for Hearing on June 14, 2024
12.	939 (FSS) / 696 (Jones)	6/12/2024	Additional Attachments to Alex Jones's Witness List and Exhibit List for Hearing on June 14, 2024
13.	942 (FSS) / 697 (Jones)	6/12/2024	The Texas Plaintiffs' Witness and Exhibit List for Hearing on June 14, 2024
14.	698 (Jones)	6/12/2024	The Official Committee of Unsecured Creditors' Notice of Filing of Supporting Parties' Conversion Order
15.	944 (FSS) / 699 (Jones)	6/12/2024	Connecticut Families' Consolidated Witness and Exhibit List for Hearing on June 14, 2024
16.	702 (Jones)	6/12/2024	Statement of the Connecticut Families in Support of Conversion of Jones's Chapter 11 Case to a Case Under Chapter 7 of the Bankruptcy Code
17.	703 (Jones)	6/12/2024	Statement of the Texas Families in Support of Conversion of Jones's Chapter 11 Case to a Case Under Chapter 7 of the Bankruptcy Code (Amended)
18.	935 (FSS)	6/12/2024	FSS's Witness and Exhibit List for Hearing on June 14, 2024
19.	936 (FSS)	6/12/2024	PQPR Holdings' Witness and Exhibit List for Hearing on June 14, 2024
20.	941 (FSS)	6/12/2024	Additional Attachments to PQPR Holdings' Witness and Exhibit List for Hearing on June 14, 2024
21.	938 (FSS)	6/12/2024	Melissa A. Haselden's Witness and Exhibit List for Hearing on June 14, 2024
22.	943 (FSS)	6/12/2024	Jones's Response and Objection to Debtor's Emergency Motion for Court Instructions and Motion to Convert
23.	945 (FSS)	6/12/2024	The Texas Plaintiffs' Statement Supporting Dismissal of the Chapter 11 Case and Objecting to Conversion
24.	950 (FSS) / 706 (Jones)	6/13/2024	Connecticut Families' Updated Consolidated Witness and Exhibit List for Hearing on June 14, 2024
25.	948 (FSS)	6/13/2024	Subchapter V Trustee's Report and Recommendation of Case Disposition
26.	951 (FSS)	6/14/2024	Debtor's Response to Motion to Convert

27.	953 (FSS)	6/14/2024	FSS's Revised Witness and Exhibit List
28.	955 (FSS) / 714 (Jones)	6/14/2024	Courtroom Minutes of June 14, 2024 Hearing
29.	708 (Jones)	6/14/2024	Order Converting Debtor's Chapter 11 Case to a Case Under Chapter 7 of the Bankruptcy Code
30.	709 (Jones)	6/14/2024	United States Trustee's Notice of Appointment of Chapter 7 Trustee
31.	956 (FSS)	6/21/2024	Order Dismissing Case
32.	957 (FSS) / 720 (Jones)	6/23/2024	Trustee's Emergency Motion to (1) Clarify Transfer of Control and Signing Authority with Respect to Debtor's Bank Accounts, (2) For an Order Extending Automatic Stay in the Alex Jones Case to Free Speech System LLC, and (3) Related Relief
33.	721(Jones)	6/24/2024	Transcript of Hearing held on June 14, 2024
34.	959 (FSS) / 725 (Jones)	6/24/2024	Connecticut Families' Statement in Support of Trustee's Emergency Motion
35.	960 (FSS) / 726 (Jones)	6/24/2024	The Texas Plaintiffs' Response to the Jones Chapter 7 Trustee's Emergency Motion
36.	961 (FSS)	6/26/2024	O'ConnorWechsler's Response to Chapter 7 Trustee's Emergency Motion
37.	732 (Jones)	6/26/2024	Chapter 7 Trustee's Witness and Exhibit List for Hearing on June 27, 2024
38.	734 (Jones)	6/26/2024	Connecticut Families' Exhibit List for Hearing on June 27, 2024
39.	758 (Jones)	7/3/2024	Transcript of Hearing held on June 27, 2024
40.	829 (Jones)	8/22/2024	Trustee's Motion for Entry of an Order Authorizing the Winddown of Free Speech Systems, LLC
41.	845 (Jones)	9/17/2024	United States Trustee's Omnibus Objection to the Chapter 7 Trustee's Motion for Entry of an Order Authorizing the Winddown of Free Speech Systems, LLC, and Application to Employ Tranzon and Tranzon360 As Sale Broker
42.	847 (Jones)	9/19/2024	Trustee's Witness and Exhibit List for Hearing on September 24, 2024
43.	848 (Jones)	9/19/2024	United States Trustee's Witness and Exhibit List for Hearing on September 24, 2024
44.	849 (Jones)	9/20/2024	Jones's Limited Objection to Trustee's Motion for Entry of an Order Authorizing the Winddown of Free Speech Systems, LLC
45.	850 (Jones)	9/20/2024	Statement of the Texas Plaintiffs in Support of the Chapter 7 Trustee's Motion for Entry of an Order Authorizing the Winddown of Free Speech Systems, LLC

46.	851 (Jones)	9/20/2024	Statement of the Connecticut Families in Support of the Chapter 7 Trustee's Motion for Entry of an Order Authorizing the Winddown of Free Speech Systems, LLC
47.	853 (Jones)	9/23/2024	Reply of the Trustee in Further Support of Motion for Entry of an Order Authorizing the Winddown of Free Speech Systems, LLC
48.	854 (Jones)	9/24/2024	Proposed Order Granting Trustee's Motion for Entry of an Order Authorizing the Winddown of Free Speech Systems, LLC
49.	859 (Jones)	9/25/2024	Order Granting Trustee's Motion for Entry of an Order Authorizing the Winddown of Free Speech Systems, LLC
50.	861 (Jones)	9/26/2024	Transcript of Hearing held on September 24, 2024
51.	1020 (FSS)	9/24/2024	Trustee's Proposed Order Supplementing Dismissal Order
52.	1021 (FSS)	9/25/2024	Order Supplementing Order Dismissing Case
53.	1028 (FSS)	10/8/2024	Notice of Appeal
54.	1029 (FSS)	10/11/2024	Election to Appeal District Court
55.	1030 (FSS)	10/11/2024	Clerk's Notice of Filing of an Appeal
56.	880 (Jones)	10/15/2024	Transcript of Status Conference held on September 11, 2024

CERTIFICATION REGARDING TRANSCRIPTS

The Texas Plaintiffs hereby certify, pursuant to Federal Rule of Bankruptcy Procedure 8009(b)(1), that they are not ordering any transcripts. All transcripts have been prepared, are on the docket, and are designated in the foregoing designation of record.

RESERVATION OF RIGHTS

The Texas Plaintiffs expressly reserve the right to (i) withdraw, supplement, amend or modify this Statement of Issues and (ii) move to strike any items included by Appellee in a designation of additional items. This filing is made expressly subject to, and without waiver of any and all rights, remedies, challenges, and objections.

Dated: October 22, 2024

Respectfully submitted,

/s/ Jennifer J. Hardy

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served on all parties registered to receive electronic notice through the Court's CM/ECF system on October 22, 2024.

/s/ Jennifer J. Hardy